

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA

Marcus Drayton,

Plaintiff,

v.

County of Richland,

Defendant.

C/A No. 3:22-cv-1545-JFA-PJG

**ORDER**

Plaintiff Marcus Drayton, a self-represented state pretrial detainee, brings this civil rights action pursuant to 42 U.S.C. § 1983. The Complaint has been filed pursuant to 28 U.S.C. § 1915; § 1915A.<sup>1</sup> In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2) (D.S.C.), the case was referred to the Magistrate Judge for initial review.

After reviewing the complaint and record of this case, the Magistrate Judge assigned to this action<sup>2</sup> prepared a thorough Report and Recommendation (“Report”). (ECF No. 14). Within the Report, the Magistrate Judge opines that Plaintiff’s complaint and related filings (ECF Nos. 1 & 8) should be dismissed without prejudice and without issuance and service of process.

The Report sets forth, in detail, the relevant facts and standards and law on this matter and this court incorporates those facts and standards without a recitation.

Plaintiff was advised of his right to object to the Report, which was entered on the docket on July 5, 2022. (ECF No. 14). The Magistrate Judge required Plaintiff to file objections by July 19, 2022. *Id.* Plaintiff failed to file objections. Thus, this matter is ripe for review.

---

<sup>1</sup> The Magistrate Judge granted Plaintiff’s motion for leave to proceed *in forma pauperis* (ECF No. 7) in the Report. (ECF No. 14 at n.1).

<sup>2</sup> The Magistrate Judge’s review is made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2)(d) (D.S.C.). The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261 (1976).

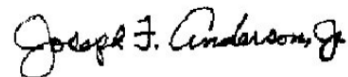
A district court is only required to conduct a *de novo* review of the specific portions of the Magistrate Judge's Report to which an objection is made. *See* 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b); *Carniewski v. W. Virginia Bd. of Prob. & Parole*, 974 F.2d 1330 (4th Cir. 1992). In the absence of specific objections to portions of the Magistrate Judge's Report, this Court is not required to give an explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

Here, Plaintiff has failed to raise any objections and therefore this Court is not required to give an explanation for adopting the recommendation. A review of the Report indicates that the Magistrate Judge correctly concluded that Plaintiff's complaint should be dismissed without prejudice and without issuance and service of process.

After carefully reviewing the applicable laws, the record in this case, and the Report, this Court finds the Magistrate Judge's recommendation fairly and accurately summarizes the facts and applies the correct principles of law. Accordingly, this Court adopts the Magistrate Judge's Report and Recommendation and incorporates it herein by reference. (ECF No. 14). Consequently, Plaintiff's complaint is dismissed without prejudice and without issuance and service of process.

IT IS SO ORDERED.

August 3, 2022  
Columbia, South Carolina



Joseph F. Anderson, Jr.  
United States District Judge